

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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AT 8:30 _____ M
Orion Corporation)
Plaintiff,)
v.) Civil Action No.
Sun Pharmaceutical Industries, Ltd.) 3:07-cv-05436 (MLC/DEA)
Defendant.) (consolidated)

CONSENT JUDGMENT AND ORDER

Plaintiff Orion Corporation (hereinafter "Orion") and Defendant Sun Pharmaceutical Industries, Ltd. (hereinafter "Sun"), have agreed to terms and conditions representing a negotiated settlement of this action and have set forth those terms and conditions in a Settlement Agreement. Now the parties, by their respective undersigned attorneys, hereby stipulate and consent to entry of judgment in this action as follows:

It is HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. This Court has jurisdiction over the subject matter of this action and has personal jurisdiction over the parties.
2. With respect to Count II of the Complaint in Civil Action No. 3:07-cv-005436 (MLC/DEA) filed February 7, 2008 herein, seeking a declaratory judgment of infringement under 35 U.S.C. § 271 (a), (b) and/or (c), Sun admits, for itself and its Affiliates (as defined in the Settlement Agreement), that claim 3 of U.S. Patent No. 5,446,194 (the "Asserted Claim of the '194 Patent") would be infringed by use, importation, offer for sale, or sale of the entacapone/levodopa/carbidopa products described in Sun's Abbreviated New Drug Application No. ANDA No. 79-085 (the "Sun ANDA Products"), except as provided in the Settlement Agreement.

3. Sun further admits, for itself and its Affiliates (as defined in the Settlement Agreement), that the Asserted Claim of the '194 Patent is valid and enforceable as to the Sun ANDA Products and any products not colorably different therefrom.
4. Sun admits, for itself and its Affiliates (as defined in the Settlement Agreement), that U.S. Patents 6,599,530 and 6,500,867 are valid and enforceable as to the Sun ANDA Products and any products not colorably different therefrom.
5. Nothing in this judgment shall preclude the Food and Drug Administration from approving the Sun's Abbreviated New Drug Application No. ANDA No. 79-085. Pursuant to the Agreement, Orion has waived the 30-month stay of FDA approval pursuant to 21 U.S.C. § 355(j)(B)(iii) of the ANDA No. 79-085, and the court hereby orders termination of said stay effective as of the date of this order.
6. Sun will not sell or offer for sale any Sun ANDA Product or any entacapone/levodopa/carbidopa product obtained from Orion in the United States or its possessions at any time before the dates provided for in the Settlement Agreement.
7. All remaining Counts, Claims, and Counterclaims of the Complaints herein are dismissed with prejudice.
8. Sun withdraws all motions seeking sanctions or foreclosure, including Sun's Motion for Sanctions (DI 108); and Sun's Renewed Motion to Foreclose (DI 121).
9. Orion withdraws all motions seeking sanctions, including Orion's Motion for Sanctions (DI 137).
10. This Court retains jurisdiction to enforce or supervise performance under this Judgment on Consent and the Settlement Agreement.
11. Sun and Orion expressly waives any right to appeal or otherwise move for relief from this Consent Judgment and Order.
12. Each party shall bear its own costs and attorneys fees, except as provided in clause 7.04 of the Agreement.
13. This Consent Judgment and Order shall finally resolve this Action between Orion and Sun.

Respectfully submitted,

<p>Dated: <u>7/22/10</u></p> <p><u>Gregory S Thomas</u></p> <p>Approved as to form:</p> <p>Gregory S. Thomas, Esq. Joseph F. Lagrotteria, Esq. LeClair Ryan One Riverfront Plaza 1037 Raymond Boulevard, 16th Floor Newark, NJ 07102 (973) 491-3600 Fax #(973) 491-3555</p> <p>Charles E. Lipsey, Esq. (302) 571-6600 Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Two Freedom Square 11955 Freedom Drive Reston, VA 20190-5675 599 (571) 203-2700</p> <p>Susan H. Griffen, Esq. Bryan C. Diner, Esq. Finnegan, Henderson, Farabow, Garrett & Dunner, LLP 901 New York Avenue, N.W. Washington, D.C. 20001-4413 (202) 408-4000</p> <p><i>Attorneys for Plaintiff Orion Corporation</i></p>	<p><u>Mart P. Schrama</u></p> <p>Approved as to form:</p> <p>Martin P. Schrama, Esq. Kevin M. Hart, Esq. Stark & Stark, PC P.O Box 5315 Princeton NJ 08543-5315 (609) 896-9060 Fax (609) 895-7395</p> <p>Neil F. Greenblum, Esq. Paul A. Braier, Ph.d., Esq. P. Branko Pejic, Esq. Nathan J. Bailey, Esq. Greenblum & Bernstein, P.L.C. 1950 Roland Clarke Place Reston, VA 20191 (703)716-1191 Fax: (703)716-1180</p> <p><i>Attorneys for Defendant Sun Pharmaceutical Industries Ltd.</i></p>
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SO ORDERED this 26th day of July, 2010.

Mary L. Cooper
THE HONORABLE MARY L. COOPER, U.S.D.J.